

**REMARKS**

Claims 1, 3, 5, 7 and 9-18 are pending in this application. By this Amendment, claims 1, and 13-16 are amended. Support for these amendments can be found, at least, in paragraph [0011] of the instant specification. No new matter is added.

Claims 13-15 are rejected under 35 U.S.C. §101 as allegedly not falling within one of the four statutory categories of invention. This rejection is respectfully traversed.

Specifically, claim 13 is rejected for reciting a method that is allegedly not tied to a manufacture or machine. Claim 13 has been amended to recite "an image processing method for a computer-readable medium," in accordance with the Examiner's helpful suggestion. Therefore, withdrawal of the rejection of claim 13, and claims 14 and 15 depending therefrom, is respectfully requested.

Claims 1, 3, 5, 7 and 9-18 are rejected under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2002/0146173 to Herley in view of U.S. Patent No. 7,016,075 to Tsukada and further in view of U.S. Patent No. 5,418,574 to Miyabata et al. ("Miyabata"). This rejection is respectfully traversed.

Claims 1, 13 and 16, as amended, substantially recite "an image correction device that corrects the pixel information of the pixels constituting the image object region based on region characteristic information indicating at least one of a standard deviation and a spatial frequency that represents a characteristic of the image object region." Neither Herley nor Tsukada nor Miyabata disclose or suggest these features.

For example, using the rejection of claim 1 for illustrative purposes, Tsukada discloses the ability to take the average RGB values of a picture element present in a selected split hue region for an input image. See col. 7, lines 49-52 of Tsukada. The Office Action alleges that this ability to obtain average RGB values for the different picture elements is analogous to the previously recited "image correction device that corrects the pixel

information of the pixels constituting the image object region based on region characteristic information indicating a statistical value." However, Tsukada does not disclose the ability to perform further additional statistical calculations on the RGB values of the picture elements.

By contrast, claim 1 as amended now recites "an image correction device that corrects the pixel information of the pixels constituting the image object region based on region characteristic information indicating at least one of a standard deviation and a spatial frequency that represents a characteristic of the image object region." Tsukada does not disclose this feature of claim 1, nor does it disclose the similar features of claims 13 and 16. Accordingly, withdrawal of the rejection of claims 1, 13 and 16 and claims 3, 5, 7, 9-12, 14, 15, 17 and 18 depending therefrom, is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 5, 7 and 9-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Stephen J. Pachol  
Registration No. 62,487

JAO:SJP/mcp

Date: December 16, 2008

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

|  |
|--|
| <b>DEPOSIT ACCOUNT USE<br/>AUTHORIZATION</b><br>Please grant any extension<br>necessary for entry;<br>Charge any fee due to our<br>Deposit Account No. 15-0461 |
|--|